

SENATE BILL NO. 474

INTRODUCED BY F. MANDEVILLE, K. BOGNER

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING GAMBLING LAWS; REVISING FANTASY SPORTS LEAGUES LAWS; REVISING THE DEFINITION OF "FANTASY SPORTS TEAM"; AND AMENDING SECTION 23-5-801, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 23-5-801, MCA, is amended to read:

"23-5-801. Fantasy sports leagues defined. As used in this part, a "fantasy sports league" means a gambling activity conducted in the following manner:

(1) A fantasy sports league consists of ~~a limited number of~~ no fewer than two persons or groups of persons who pay an entrance fee ~~for membership in the league~~. The entrance fee may include an administrative fee.

(2) Each league member creates a fictitious team composed of athletes from a given professional sport, such as baseball, basketball, or football. ~~Player selection is conducted through random drawings, a bidding process, or by selection from a roster prepared by the parimutuel network coordinator.~~ A fantasy sports team may not be composed entirely of individual contestants who are members of the same real-world sports team.

~~(3) Except for fantasy sports leagues operated under Title 23, chapter 4, after the initial teams are selected, interim replacement of players may occur by trade or purchase. A specific fee, which may not exceed the total entrance fee, is charged for each transaction.~~

~~(4) A method, as defined by league rules, is devised to permit each team to compete against other teams in the league. Points are awarded to a team according to the performance of individual players or teams or both during a designated time period.~~

(3) Each winning outcome reflects the relative knowledge and skill of the fantasy sports contest players and is determined by the aggregated statistical results of the performance of multiple individual

1 contestants whom each fantasy sports contest player has selected to form that player's fantasy sports contest
2 team. The individual performances of the contestants in the fantasy sports contest directly correspond with the
3 actual performances of those contestants in a real-world sporting event in which those individuals participated.

4 ~~(5)(4)~~ A league member may be eligible to receive a payout based on the number of points
5 accumulated. ~~Payouts, which may be in the form of cash or prizes, are awarded according to league rules. A~~
6 winning outcome is not based on the performance of a single real-world sports team.

7 ~~(6)~~ The roster of eligible participants prepared by the parimutuel network must be provided to each
8 league member.

9 ~~(7)~~ Rules governing the conduct of the fantasy sports league must be provided in writing to each
10 league member.

11 (5) The fantasy sports contest does not constitute or involve a slot machine or a fixed, commercial
12 electrical gaming device."

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